

245 1977.

246 ~~[(14)]~~ (16) (a) "Mining operation" means activities conducted on the surface of the
 247 land for the exploration for, development of, or extraction of a mineral deposit, including~~[-but~~
 248 ~~not limited to,]~~ surface mining and the surface effects of underground and in situ mining,
 249 on-site transportation, concentrating, milling, evaporation, and other primary processing.

250 (b) "Mining operation" does not include:

251 (i) the extraction of sand, gravel, and rock aggregate;

252 (ii) the extraction of ~~Ĥ~~ ~~→~~ ~~[sand, gravel, and]~~ ~~←~~ ~~Ĥ~~ basalt ~~Ĥ~~ ~~→~~ for an area not to exceed 50

252a acres under

252aa active surface mining ~~←~~ ~~Ĥ~~ ;

253 ~~[(ĥ)]~~ (iii) the extraction of oil and gas as defined in Title 40, Chapter 6, Board and
 254 Division of Oil, Gas, and Mining;

255 ~~[(ĥĥ)]~~ (iv) the extraction of geothermal steam;

256 ~~[(ĥĥ)]~~ (v) smelting or refining operations;

257 ~~[(ĥĥ)]~~ (vi) off-site operations and transportation;

258 ~~[(ĥĥ)]~~ (vii) reconnaissance activities; or

259 ~~[(ĥĥ)]~~ (viii) activities ~~[which]~~ that will not cause significant surface resource
 260 disturbance or involve the use of mechanized earth-moving equipment, such as bulldozers or
 261 backhoes.

262 ~~[(15)]~~ (17) "Notice" means:

263 (a) notice of intention, as defined in this chapter; or

264 (b) written information given to an operator by the division describing compliance
 265 conditions at a mining operation.

266 ~~[(16)]~~ (18) "Notice of intention" means a notice to commence mining operations,
 267 including revisions to the notice.

268 ~~[(17)]~~ (19) "Off-site" means the land areas that are outside of or beyond the on-site
 269 land.

270 ~~[(18)]~~ (20) (a) "On-site" means the surface lands on or under which surface or
 271 underground mining operations are conducted.

272 (b) A series of related properties under the control of a single operator, but separated
 273 by small parcels of land controlled by others, ~~[will be]~~ are considered to be a single site unless
 274 an exception is made by the division.

275 ~~[(19)]~~ (21) "Operator" means a natural person, corporation, association, partnership,